



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/659,213

09/10/2003

Katsuhiko Miya

P/1250-261

5700

2352 7590 05/09/2008  
OSTROLENK FABER GERB & SOFFEN  
1180 AVENUE OF THE AMERICAS  
NEW YORK, NY 100368403

EXAMINER

HECKERT, JASON MARK

ART UNIT

PAPER NUMBER

1792

MAIL DATE

DELIVERY MODE

05/09/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### **DETAILED ACTION**

1. Applicant's arguments filed 4/17/08 have been fully considered but they are not persuasive. Examiner maintains the argument that the structures incorporated into the instant application were known at the time of invention. Applicant attempts to differentiate the "guard" or "cup" design of the instant application from the prior art. However, '294 clearly shows a stacked design akin to the instant application, but deficient in that it does not have an obliquely downwardly projected part. However, Okuda shows a cup design that incorporates the claimed shape, but not in a stacked format. One of ordinary skill in the art would be capable of incorporating the cup shape of Okuda in the stacked, multi-stage design of '294 along with the features of Sumnitsch, which are conventional in the art.